93-00379/

Nova Scotia

ANNUAL REPORT

for the fiscal year
ending March 31, 1991

Criminal Injuries Compensation Board

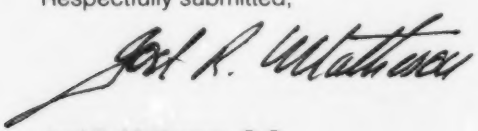
To His Honour

The Honourable Loyd R. Crouse, P.C.
Lieutenant-Governor
Province of Nova Scotia

Sir:

I have the honour to submit herewith the annual report of the Department of Attorney General for the fiscal year ending March 31, 1991.

Respectfully submitted,



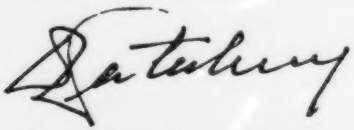
Joel R. Matheson, Q.C.
Attorney General

The Honourable Joel R. Matheson, Q.C.
Attorney General
Province of Nova Scotia

Dear Mr. Minister:

I have the honour to submit the annual report of the Criminal Injuries Compensation Board for the fiscal year 1 April, 1990 to 31 March, 1991.

Respectfully submitted,



David J.C. Waterbury, Q.C.
Chairman

INTRODUCTION

This is the third report on a fiscal-year basis, pursuant to an amendment to Compensation of Victims of Crime Act, SNS, 1975, c.8. To assist with comparisons, activities of the Board in 1989–90 are recorded on the statistics report.

LEGISLATION

The Board functions under the Compensation for Victims of Crime Act, which came into force in Nova Scotia on the 12 May 1981. By this Act, the Board is required, upon application, to provide compensation to the victim, or, where the death of the victim has resulted, the victim's dependents, when in Nova Scotia any person is injured or killed by an act or omission by any other person occurring or resulting from the commission of any of the offences set forth in the Schedule to the Act. The Board may make a lump-sum payment of up to $30,000 or periodic payments of $1,000 each. The Board cannot pay any account for damages that total less than $250. There is a limitation period of one year, which may be waived in certain circumstances. The Board can concern itself only with offences that took place after the date the Act came into force. Having made payments, the Board is subrogated to all the rights of the person to whom payment is made. The Board is required to consider the conduct of the victim if it in any way contributed directly or indirectly to his or her injury, or if he or she was uncooperative. Injury means bodily harm, mental or nervous shock, pain, and suffering.

PERSONNEL

The Board is served by David J.C. Waterbury, Q.C., Chairman; C. Benson Auld, M.D., Vice Chairman; and Board Members: Sylvia Wedderburn, R.N., Mary J. Peck, and Roland C. Hardy. The Board serves under the jurisdiction of the Attorney General and is responsible for the administration of the Compensation for Victims of Crime Act. Keith Hall is the investigator and program administrator. Barbara Connolly serves as the Board secretary and Carol Behie as part time reporter. The office is located at 1660 Hollis St., Suite 402, Halifax, Nova Scotia B3J 2V9.

COST SHARING

The awards made under the Act were cost-shared between the governments of Canada and Nova Scotia. The contribution by the Government

of Canada has been in the amount of 50 per cent of awards (net of any recoveries) to a maximum of 25 cents per capita of the population of Nova Scotia. The contribution by the federal government anticipated for the year under review is in the area of $222,900. The administrative costs of the Board are borne entirely by the Province of Nova Scotia.

PUBLIC AWARENESS

It continues to be the responsibility of the Board to make the public aware of its existence and authority. Large posters and explanatory brochures have been printed and are displayed in hospitals, police stations, and other public institutions.

The various police forces throughout the province have been provided with information, and some have been visited either by the Chairman or by Mr. Hall during the calendar year under review. Although hearings of the Board are generally open to the public, there are exceptions. For example, it would be improper for the Board to admit the public where the person whose act or omission allegedly caused injury has not been charged with a criminal offence or, if charged, has not been convicted. In other cases, in the opinion of the Board, it may not be in the interest of the victim or the dependents of the victim of an alleged sexual offence to hold the hearings in public; or the Board may determine that it is in the interest of the parties or in the public interest not to hold the hearings in public.

ADMINISTRATION AND ACTIVITY

The number of applications received in the fiscal year 1990–91 rose to 319 from 298, an increase of 7 per cent. The number of hearings has increased considerably and the total funds awarded has increased by 26 per cent to $852,540.58 from $674,415.94. Other detailed increases will be noted from statistics, which follow.

Since the end of fiscal year 1990–91, the increase has continued. This has placed the Board in a most difficult position. Notwithstanding the continuing increase in the number of applications, and despite repeated requests to the Attorney General from the Board for more secretarial and other staff, the Board's staff allotment has remained constant.

The Board has been forced to conduct its business with the addition of only a part-time reporter since it first opened its doors to victims of crime in 1981, during which year the Board paid out about $50,000 for awards.

There has been approximately a 1,700 per cent increase since that time. Only the high degree of dedication to the plight of victims of crime indicated by the two secretaries, one full-time and one part-time, has made possible the Board's operation. At the time of writing this report, all possible hearing dates are filled for the next six months. The Board has concluded a number of matters by consent rather than by hearing, as may be done under the provisions of the Act, although it has always been the policy to allow a hearing in most instances.

SUBROGATION

By Section 32(2), the Board is subject to all rights of the person to whom payment is made under the Act to recover damages by civil proceedings in respect to the injury and may maintain an action in the name of such person. The amounts so acquired have been in the vicinity of $20,000 in 1990–91.

GENERAL

The Board continues to cut back or refuse compensation to victims who have not cooperated with the police and particularly those who have failed to report themselves as a victim of a criminal activity or to attend criminal trials or Board hearings. The Board also closely examines the conduct of the victim pursuant to Section 26. The Board is not inclined to compensate persons who have been drinking to a considerable extent and may have impaired their faculties, thereby rendering themselves attractive targets for assault or as being incapable of resisting.

The Board acknowledges the valued contribution of all court officials, police forces, hospitals, doctors, and legal counsel involved in the presentation of the matters for its consideration. The police forces of the province have been particularly cooperative in providing reports that are of great assistance to the Board. Without those reports, costly investigations would be necessary. Reports requested from hospitals and court officials have been promptly received in all instances. Doctors' reports are particularly essential, and the Board acknowledges with appreciation the fact that skilled physicians frequently provide to the Board detailed reports at very reasonable fees.

CRIMINAL INJURIES COMPENSATION BOARD

1 April 1989 – 31 March 1991

STATISTICS

	1989–90	1990–91
Applications received	298	319
Hearings held	159	282
Section 26 applied	10	24
Dismissed	10	39
Lump-sum awards	145	263
Periodic awards	3	19
	Out of 159 hearings	**Out of 282 hearings**
Female	51	89
Male	108	193
Age under 19	26	32
19–40	100	190
40–65	27	43
Over 65	6	17
Lump-sum payments	$557,790.19	$785,425.58
Periodic payments	53,218.75	69,915.00
Other types of payments	63,407.00	
Total	$674,415.94	$855,340.58
Costs	15,870.00	15,825.00
Recovery	12,336.00	20,365.46

SUMMARY OF DECISIONS
April 1, 1990 to March 31, 1991

12/86-650 A 17-year-old, single female student was sexually assaulted by her natural father over a period of time. The assailant was charged and convicted under Section 271 of the Criminal Code but committed suicide before being sentenced. Total award $8,000 (pain and suffering $8,000).

11/87-781 A 57-year-old, self-employed male businessperson was assaulted and received a rotator cuff injury. His two assailants were

charged and convicted under Section 245 of the Criminal Code and fined $50 and $125 respectively. There was a claim for lost wages. Total award $4,500 (pain and suffering $3,500).

11/87-788 The widow of a murdered husband applied to the Board for payment of funeral expenses. The assailant has been charged and convicted of second degree murder and sentenced to seven years imprisonment. The Board reduced the payment by 25 per cent due to the contributory actions of the victim. Total award $2,625.

12/87-799 A 37-year-old, single female hotel desk clerk was assaulted by her employer and received soft tissue injury to her left arm. The assailant was charged and convicted under Section 245(b) of the Criminal Code and sentenced to pay a fine of $310. Total award $1,000 (pain and suffering $1,000).

4/88-846 A 43-year-old, single female was sexually assaulted and suffered mental and nervous shock. Her assailant was charged and convicted under Section 246.1 of the Criminal Code and sentenced to eight years imprisonment. Total award $6,550 (pain and suffering $6,000).

6/88-871 A 32-year-old, single male stevedore was assaulted and struck in the face with a beer bottle causing lacerations with residual scarring. The assailant was charged under Section 267(1)(b) of the Criminal Code but absconded before trial. Total award $2,090 (pain and suffering $2,000).

6/88-876 The mother of a murdered son applied to the Board for payment of funeral expenses. The Board reduced the amount of payment by 10 per cent due to the contributory actions of the victim. Total award $4,528.

8/88-902 The father of a murdered son applied to the Board for the payment of funeral expenses. The assailant had been charged but acquitted due to lack of evidence. The Board found that the son was a victim of the crime of murder but reduced the payment by 50 per cent due to the contributory actions of the victim. Total award $669.60.

09/88-915 A 40-year-old, married female cleaner was assaulted and confined and received physical injuries to her arm and mental and nervous shock. There was a claim for lost wages. Her assailant was charged and convicted under Sections 272 and 273 of the Criminal

Code and sentenced to 14 years imprisonment. There was a claim for lost wages. Total award $9,350 (pain and suffering $8,000).

9/88-927 A 35-year-old, unemployed single male was assaulted by being struck in the eye with a beer bottle resulting in permanent loss of 75 per cent of vision. His assailant was charged and convicted under Section 272 of the Criminal Code and sentenced to nine months imprisonment. The Board invoked Section 26 of the Act and reduced the award by 25 per cent due to the contributory actions of the victim. Total award $7,537.50 (pain and suffering $7,500).

1/88-807 & 9/88-933 The widow and father of a murdered male applied to the Board for payment of funeral expenses and maintenance of two children. The assailant was charged and convicted of manslaughter and sentenced to a term of imprisonment. The Board ordered payment of funeral expenses to both the father and daughter of the applicant but found that in the case of the widow insufficient evidence was presented to justify her claim. Total award $3,059.

11/88-960 An 18-year-old, single male gas attendant was assaulted and received a fractured nose. His assailant was charged and convicted under Section 245.1(1)(b) of the Criminal Code and sentenced. There was a claim for lost wages. Total award $544 (pain and suffering $500).

12/88-971 A 12-year-old female student was sexually assaulted by an older male neighbour who was charged and convicted under Section 271 of the Criminal Code and sentenced to imprisonment. The applicant suffered mental and nervous shock. Total award $2,000 (pain and suffering $2,000).

12/88-984 A 34-year-old, divorced female computer operator was a witness to the murder of her boyfriend and was assaulted with a knife and was kidnapped. Her assailant was sentenced to life imprisonment. The applicant also suffered mental and nervous shock. There was a claim for lost wages. Total award $15,000 (pain and suffering $14,590).

1/89-993 A 16-year-old, single female student, daughter of the subject of 12/88-984, was a witness to the crime involving her mother and suffered mental and nervous shock. Total award $5,350 (pain and suffering $500).

1/89-1005 A 36-year-old, unemployed divorced male was assaulted and received an undisplaced ankle fracture and a laceration to his face.

His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $660 (pain and suffering $660).

2/89-1012 A 39-year-old, married female convenience store clerk was the victim of a robbery and suffered mental and nervous shock. Her assailant was charged and convicted under Section 344 of the Criminal Code and sentenced to a term of imprisonment. There was a claim for lost wages. Total award $4,300 (pain and suffering $3,000).

2/89-1019 A 40-year-old, single male salesperson was assaulted and received lacerations and abrasions of his face and nose and damage to his teeth. Two assailants were charged and convicted under Section 245.1(1)(b) of the Criminal Code and sentenced to a term of imprisonment. There was a claim for lost wages which was not proven. Total award $300 (pain and suffering $300).

2/89-1023 A 26-year-old, single male sous chef was assaulted and suffered a stab wound resulting in a laceration of the right atrium with cardiac temponade. The assailant was charged and convicted under Section 268 of the Criminal Code and sentenced to 20 months imprisonment. There was a claim for lost wages. Total award $5,449.38 (pain and suffering $4,000).

2/89-1025 A 25-year-old, single male handyman was assaulted and received severe bruising and lacerations of his face, right flank, left knee and right elbow. His assailant was charged and convicted under Section 266(b) of the Criminal Code and fined $155. There was a claim for lost wages. Total award $630 (pain and suffering $300).

2/89-1031 A 45-year-old male railroad worker was assaulted with a pistol and kicked and received injuries to his abdomen and legs with residual impairment of the use of the leg. His assailant was charged and convicted under Section 267 of the Criminal Code and sentenced to a term of imprisonment. There was a claim for lost wages. Total award $7,150 (pain and suffering $3,500).

3/89-1050 A 47-year-old, unemployed divorced male was assaulted with a broken beer glass and received lacerations to his face with residual scarring. The assailant was charged and convicted under Section 268(1) of the Criminal Code and sentenced to 60 days intermittent imprisonment. Total award $1,125 (pain and suffering $1,000).

7/89-1151 A 50-year-old, unemployed single male was the victim of the crime of robbery and received mental and nervous shock. His assailant was never identified. Initially, the Board ruled there was insufficient evidence of an injury. However, on review the Board found such evidence and awarded the applicant $300 for pain and suffering.

3/89-1056 A 36-year-old, unemployed single male was assaulted and robbed and received a closed head injury with skull fracture, acute subdural hematoma, and temporal lobe contusion. His assailants were charged under Section 269 of the Criminal Code but were acquitted. The Board, however, found that he applicant was a victim of a crime under Section 269 and further found that he had contributed to his misfortune to the degree of 50 per cent and reduced the award accordingly. Total award $4,000 (pain and suffering $4,000). On review, the Board increased its award to $10,000 (pain and suffering $10,000).

3/89-1063 A 25-year-old, single male clerk was assaulted and received a severe laceration above his eye. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to 60 days intermittent imprisonment. There was a claim for lost wages which was not accepted by the Board due to the lack of proof. Total award $610 (pain and suffering $500).

4/89-1067 A 39-year-old, married male member of the Royal Canadian Mounted Police was injured in the performance of his duties while preventing the commission of a crime and suffered lacerations and abrasions to his hands and knees and dog bites to his leg. The assailant was charged and convicted under Section 86(1) of the Criminal Code. Total award $1,500 (pain and suffering $1,500).

4/89-1069 A 15-year-old, single male student was assaulted with a baseball bat and experienced abrasions about the knees and neck. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and fined $500. Total award $250 (pain and suffering $250).

4/89-1072 A 19-year-old, single female student was sexually assaulted and suffered mental and nervous shock. Her assailant was charged and convicted under Section 272 of the Criminal Code and sentenced to 12 years imprisonment. There was a claim for lost wages. Total award $7,866 (pain and suffering $7,500).

4/89-1076 A 52-year-old, divorced male taxi operator was assaulted and received injuries to his right hand and face. His assailant was never identified, nevertheless the Board found the applicant to be a victim of crime under Section 267.1(b) of the Criminal Code. There was a claim for lost wages. Total award $2,275 (pain and suffering $1,500).

4/89-1083 A 42-year-old female, a widow, applied for compensation for mental and nervous shock following the murder of her husband. The Board found her to be a victim of a crime under Section 229 of the Criminal Code. Total award $4,000 lump sum payment for pain and suffering and $100 per month for prescription drugs.

5/89-1086 A 34-year-old, married male was assaulted and stabbed in the eye with a knife which resulted in permanent blindness. His assailant was charged and convicted under Section 268 of the Criminal Code. The Board reduced the award by one-third due to the contributory actions of the victim. Total award $20,000 (pain and suffering $20,000).

5/89-1097 A 38-year-old, single male security systems employee was assaulted and suffered multiple fractures of his jaw necessitating his mouth to be wired shut. His assailant was charged and convicted under Section 267.1(b) of the Criminal Code and sentenced to 15 days intermittent imprisonment. There was a claim for lost wages. The Board reduced the award by 50 per cent due to the contributory actions of the victim. Total award $1,505.11 (pain and suffering $1,000.)

5/89-1099 A 28-year-old, single female cashier was assaulted and received a blow to the face with a glass causing a laceration extending from the right side of her nose to her left eye with residual scarring. Her assailant was charged and convicted under Section 268 of the Criminal Code and sentenced to 30 days imprisonment. There was a claim for lost wages. Total award $7,770 (pain and suffering $7,500).

5/89-1100 A 47-year-old, married female, a registered nurse, was assaulted by a patient at her place of work and sustained a ligamentous strain to her cervical spine area. Her assailant was charged and convicted under Section 266(b) of the Criminal Code and sentenced to probation. There was a claim for lost wages. Total award $5,100 (pain and suffering $3,000).

5/89-1101 A 21-year-old, single male student was assaulted and suffered facial injuries with nausea and dizziness. His assailant was charged under Section 267(1)(b) of the Criminal Code but acquitted due

to lack of identification evidence. The Board nevertheless found the applicant to be a victim of that crime. There was a claim for lost wages. Total award $540 (pain and suffering $300).

6/89-1105 A 28-year-old, single female office clerk was assaulted and suffered a fracture of her ring finger. Her assailant was charged and convicted under Section 272(c) of the Criminal Code and sentenced to two years imprisonment. Total award $3,400 (pain and suffering $3,000).

6/89-1106 A 20-year-old, unemployed single female was assaulted and received multiple facial trauma with fracture of her nose and damaged teeth. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $1,910.75 (pain and suffering $1,200).

6/89-1109 A 68-year-old, retired male businessperson was assaulted and received a contusion to his skull and abrasions and a bruising to his left arm and right leg. His assailant was charged and convicted under Section 267(1) of the Criminal Code. Total award $1,640 (pain and suffering $1,200).

6/89-1118 A 44-year-old, married male taxi driver received a superficial knife wound to his throat and suffered mental trauma. The assailant was never identified. There was a claim for lost wages. Total award $825 (pain and suffering $300).

6/89-1119 A 34-year-old, single male fisherman was assaulted and suffered a fractured nose requiring surgery. His assailant was charged and convicted under Section 245.1(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $2,234 (pain and suffering $2,000).

6/89-1121 A 37-year-old, divorced female office worker was forcibly confined and sexually assaulted and suffered mental trauma. Her assailant was charged and convicted under Section 246.1(1) and Section 247(2) of the Criminal Code and sentenced to three and one half years imprisonment. Total award $9,000 (pain and suffering $8,000).

6/89-1122 A 35-year-old, single male longshoreman was assaulted and robbed and received contusions and abrasions to his head. His assailant was acquitted of the crime of robbery. Nevertheless the Board found the applicant to be a victim of such a crime. There was a claim for lost wages. Total award $1,638 (pain and suffering $800).

6/89-1124 A 32-year-old, married male welder was assaulted and received a fracture of the left infraorbital rim which required surgery. His assailants were never identified but the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. Total award $1,875 (pain and suffering $1,800).

6/89-1125 A 21-year-old, married female, wife of the applicant in 6/89-1124, was assaulted and suffered mental trauma. Total award $700 (pain and suffering $700).

6/89-1126 A 27-year-old, single male businessperson was assaulted and received a severe laceration to his face, particularly his eye, from a thrown beer bottle and required surgery. His assailant was charged under Section 245(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $9,060 (pain and suffering $8,000).

6/89-1127 A 42-year-old, married male labourer was assaulted and received severe facial lacerations including that to the corneal scleral which required surgery. His assailant was charged and convicted under Section 269 of the Criminal Code. Total award $7,475 (pain and suffering $6,500).

6/89-1128 A 15-year-old, single female student was the victim of a sexual assault by her stepfather over a period of four years and suffered mental trauma. Her assailant was charged and convicted under Section 246.1(1)(a) of the Criminal Code. Total award $3,500 (pain and suffering $3,500).

7/89-1130 A 21-year-old, single male clerk was assaulted and suffered facial lacerations and contusions and cracked ribs. His assailant was charged under Section 267(1)(b) of the Criminal Code but convicted under Section 266. There was a claim for lost wages. Total award $675 (pain and suffering $500).

7/89-1134 A 34-year-old, unemployed single male was assaulted and received facial lacerations and the loss of a tooth. His assailant was charged and convicted under Section 266 of the Criminal Code and sentenced to two months imprisonment. Total award $4,224 (pain and suffering $2,500).

7/89-1137 A 37-year-old, married male maintenance worker was assaulted and suffered severe facial bruising. His assailant was charged

and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,135 (pain and suffering $600).

7/89-1139 The applicant is a widow as a result of the murder of her husband and claims funeral and burial expenses. Two assailants were charged and convicted under Section 235(1) of the Criminal Code. There was a claim for lost income. Total award $4,655 plus monthly payments of $300 a month.

7/89-1142 An 18-year-old, single male service station attendant was assaulted and suffered multiple fractures of the left orbital wall and a left zygomatic fracture. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There is a claim for lost wages. Total award $4,446.93 (pain and suffering $4,000).

7/89-1143 A 28-year-old, unemployed single female was assaulted and robbed and received soft tissue injury to her face and ribs. Her assailant was never identified. The Board found her to be a victim under Section 266 of the Criminal Code. Total award $435 (pain and suffering $400).

7/89-1146 A 44-year-old, married male taxi driver was assaulted and received a knife wound to his right forearm requiring surgery. His assailant was charged and convicted under Section 267(1)(a) of the Criminal Code and sentenced to 6 months imprisonment. There was a claim for lost wages. Total award $4,840 (pain and suffering $800).

7/89-1147 A 38-year-old, unemployed married male, separated from his wife, was assaulted by her and suffered a stab wound to his abdomen. His assailant was charged and convicted under Section 268 and sentenced to two years probation. Total award $1,600 (pain and suffering $1,500).

7/89-1152 A 20-year-old, unemployed single female was sexually assaulted and received soft tissue injury about the face and back and scratches to her extremities and suffered mental trauma. Her assailant was charged under Section 271(1)(a) of the Criminal Code. Total award $4,006 (pain and suffering $4,000).

7/89-1154 A 20-year-old, unemployed single female was the victim of sexual assault by her natural father over a period of years and suffered mental trauma. Her assailant was charged and convicted under Section 150 of the Criminal Code and sentenced to 90 days intermittent impris-

onment and a $2,000 fine. Total award $6,091 (pain and suffering $6,000).

7/89-1155 A 26-year-old, single male bartender and sometime construction worker was assaulted and received a knife wound to his left palm. His assailant was never identified but the Board found the applicant to be a victim under Section 267.1 of the Criminal Code. There was a claim for lost wages. Total award $1,115 (pain and suffering $300).

8/89-1157 A 16-year-old, single male student was assaulted and received facial injuries, including a hemorrhage to the retina of the left eye and subconjunctival hemorrhage and tinnitus in his ears. His assailants, although identified, were not prosecuted. Nevertheless the Board found the applicant to be a victim under Section 267(1)(b) of the Criminal Code. Total award $8,000 (pain and suffering $8,000).

8/89-1162 The widow of a murdered husband applied to the Board for the payment of funeral expenses and loss of income. The Board ordered payment of $1,037 for funeral expenses and the sum of $150 per month from the date of the husband's demise.

9/89-1175 An 18-year-old, male student was sexually assaulted and suffered minor abrasions and lacerations and mental trauma. His assailant was charged and convicted under Section 272(a) of the Criminal Code. Total award $3,100 (pain and suffering $3,000).

9/89-1176 A 24-year-old, unemployed married female was assaulted by her husband and suffered severe facial injuries, particularly to her left jaw, and a broken denture. The assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $1,470 (pain and suffering $1,500).

11/89-1181 The father of a son who was the victim of the crime of murder applied for compensation for funeral and burial expenses. The assailant had been charged and convicted under Section 236 of the Criminal Code. The Board reduced the amount payable by 30 per cent due to the contributory actions of the victim. Total award $4,249.

9/89-1185 A 27-year-old, single male labourer was assaulted and received several knife wounds to his chest and arms and a fracture of the right metacarpal. His assailants were charged and convicted under Section 348(1)(b) of the Criminal Code. Total award $2,055 (pain and suffering $2,000).

9/89-1186 A 21-year-old, single male student was assaulted and received a 10 cm laceration below the left eye with nasal deviation and chipped teeth. There was residual scarring. Two assailants were charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to nine and six months imprisonment respectively. The Board reduced the award by 1/3 due to the contributory actions of the victim. Total award $1,203.69 (pain and suffering $1,000).

9/89-1190 A 42-year-old, married male carpenter was assaulted by his brother and received abrasions and soft tissue injuries to his face. His assailant was charged and convicted under Section 266(b) of the Criminal Code and fined $100. There was a claim for lost wages. Total award $1,110 (pain and suffering $500).

9/89-1198 A 33-year-old, single male store clerk was assaulted and robbed and received a tripod fracture of the right zygoma. The assailants were never identified. However, the Board found him to be a victim of crime under Section 276(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $2,280 (pain and suffering $1,800).

9/89-1199 An 80-year-old, retired widow was assaulted in her home by an intruder and received bruises and abrasions about the neck and mental trauma. Her assailant was charged and convicted under Section 266(b) of the Criminal Code. Total award $4,634.95 (pain and suffering $4,000).

9/89-1200 An 81-year-old, single female was assaulted and received various cuts and bruises and a fractured hip. Her assailant was never identified but the Board found her to be a victim under Section 267(1)(b) of the Criminal Code. Total award $7,460 (pain and suffering $7,000).

9/89-1204 A 75-year-old, retired married female school teacher was staying with the subject of 9/89-1199 at the time and was also assaulted by the same assailant and received various bruises and abrasions to her face, chest and legs. Total award $6,239.93 (pain and suffering $5,000).

9/89-1208 A 74-year-old, female sanitary cleaner was assaulted and suffered contusions to her right arm with tendonitis. Her assailants were never identified but the Board found her to be a victim under Section 267(1) of the Criminal Code. There was a claim for lost wages. Total award $2,375 (pain and suffering $2,000).

10/89-1209 A 22-year-old, single male service station attendant was assaulted and received a depressed fracture of the skull. His assailant was charged and convicted under Section 268(1) of the Criminal Code and sentenced to eight years imprisonment. There was a claim for lost wages. Total award $4,533.72 (pain and suffering $3,000).

10/89-1210 A 46-year-old, married female homemaker was assaulted and held hostage. She received muscle sprains of her neck, spine and shoulder, mild concussion, and anxiety neurosis. Her assailant was charged and convicted under Sections 279(2), 85(1)(a) and 334 of the Criminal Code and sentenced to seven years imprisonment. Total award $2,137 (pain and suffering $2,000).

10/89-1211 A 21-year-old, single female office clerk was sexually assaulted and suffered mental trauma. Her assailant was never identified. However, the Board found her to be a victim under Section 272(a) of the Criminal Code. There was a claim for lost wages. Total award $6,416.98 (pain and suffering $6,000).

10/89-1213 The administrator of the estate of a victim of murder applied for compensation for the payment of funeral expenses. The assailant had been charged and convicted under Section 235(1) of the Criminal Code. Total award $4,865.12.

10/89-1215 A 20-year-old, single male building cleaner was assaulted and suffered a fracture of the left malar bone and zygomatic arch and left orbital floor, all of which required surgery. His assailant was charged but absconded before trial. The Board found the applicant to be the victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $4,432.94 (pain and suffering $2,000).

10/89-1216 A 27-year-old, single female nurses aid was assaulted by her common-law partner and suffered lacerations to her mouth and chipped teeth. Although her assailant was never charged, the Board found her to be a victim of crime under Section 266 of the Criminal Code. There was a claim for lost wages. Total award $1,697.94 (pain and suffering $1,000).

10/89-1218 A 10-year-old female student was sexually assaulted by a family friend and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code. Total award $3,500 (pain and suffering $3,500).

1/-89-1219 A seven-year-old female student (sister of 10/89-1218) was also sexually assaulted by the same family friend and suffered mental and nervous shock. Total award $3,500 (pain and suffering $3,500).

10/89-1220 The mother of a murdered son applied to the Board for the payment of certain funeral expenses. She also applied as a victim in her own right suffering post traumatic stress disorder. The assailant was never identified but the Board found the applicant to be a victim of crime under Section 433(1)(a) of the Criminal Code. Total award $2,765 (pain and suffering $2,000).

10/89-1222 A 22-year-old, single male student was assaulted and received a fractured nose and a slightly displaced fracture of the zygoma. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $2,675 (pain and suffering $2,400).

10/89-1225 On review of the Board's previous decision, the Board found the victim entitled to pain and suffering and made an award of $1,500.

10/89-1227 A 26-year-old, married male member of the Canadian Armed Forces was assaulted and suffered a fracture of the right mandible angle which required surgery. His assailant was charged and convicted under Section 245(1)(b) of the Criminal Code. Total award $2,650 (pain and suffering $2,000).

10/89-1236 A 39-year-old, divorced male labourer was assaulted and received a fracture of the ramus of the mandible. His assailant was never identified but the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $2,310 (pain and suffering $2,000).

11/89-1230 A 16-year-old, male student was sexually assaulted and suffered mental and nervous shock. The assailant was charged and convicted under Section 246(1)(a) of the Criminal Code and sentenced to 12 months imprisonment. Total award $8,000 (pain and suffering $8,000).

11/89-1240 A 28-year-old, single male chef was assaulted and suffered a right-sided epidural hematoma and mental and nervous shock. The assailant was charged under Section 267(1)(b) of the Criminal Code but acquitted due to lack of evidence of identity. However, the Board

found the applicant to be a victim of crime under the aforementioned section. There was a claim for lost wages. Total award $18,100 (pain and suffering $8,000).

11/89-1247 A 42-year-old, divorced male plumber was assaulted and received an injury to his neck. His assailant was charged under Section 267(1)(b) of the Criminal Code but acquitted at trial. However, the Board found the applicant to be a victim under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $4,740 (pain and suffering $3,200).

11/89-1248 A 61-year-old, married male business manager was assaulted and received abrasions to his face, a dislocated shoulder, a cervical sprain and residual partial disability. The assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $6,080 (pain and suffering $5,600).

11/89-1249 A 31-year-old, married female store clerk was the victim of the crime of robbery and suffered post traumatic stress disorder. The Board found her to be a victim of crime under Section 343 of the Criminal Code. There was a claim for lost wages. Total award $7,000 (pain and suffering $6,000).

11/89-1250 A 44-year-old, divorced male was assaulted and suffered a multiplicity of minor injuries to his scalp and both hands, without complication. His assailant was charged and convicted under Section 267 (1)(b) of the Criminal Code. Total award $710 (pain and suffering $560).

11/89-1251 A 28-year-old, married female homemaker was sexually assaulted and suffered mental and nervous shock. Her assailant was charged under Section 271(1)(a) of the Criminal Code but acquitted. However, the Board found her to be a victim of such a crime. Total award $2,600 (pain and suffering $2,500).

11/89-1252 A 36-year-old, unemployed male was assaulted and received bruising and abrasions to his face, scalp and hands, all of which required 82 stitches. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to 6 months imprisonment. There was a claim for lost wages. Total award $2,390 (pain and suffering $1,500).

11/89-1253 An 18-year-old, single female store clerk was sexually assaulted by her uncle and suffered mental and nervous shock. The assailant was charged and convicted under Section 246.(1)(a) of the Criminal Code and sentenced to six months imprisonment. Total award $3,500 (pain and suffering $3,500).

11/89-1256 A 20-year-old, unemployed single male was assaulted and received a fractured mandible and other soft tissue facial injuries, all of which required surgery. His assailants were never identified but the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. Total award $2,950 (pain and suffering $2,500).

11/89-1258 A 10-year-old male student was assaulted by another child and received second degree burns to his neck, back and upper right shoulder. His assailant was charged and convicted under Section 269 of the Criminal Code. Total award $520 (pain and suffering $500).

11/89-1262 A 21-year-old, unemployed single male was assaulted in the same incident as the subject of File 1/89-999 and suffered lacerations to his head and right shoulder. The Board found the applicant to be a victim of crime under Section 267(1) of the Criminal Code. Total award $1,140 (pain and suffering $1,000).

11/89-1264 A 22-year-old, single male student was assaulted, rendered unconscious, and suffered a lacerated ear. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and fined $300. There is a claim for lost wages. Total award $739.60 (pain and suffering $500).

11/89-1265 A 48-year-old, unemployed male, the father of the subject of File 11/89-1181, suffered mental and nervous shock due to the death of his son. The Board found the applicant to be the victim of crime under Section 236 of the Criminal Code. Total award $5,125 (pain and suffering $5,000).

12/89-1268 A 78-year-old, retired, widowed female school teacher was assaulted in her store and suffered a broken elbow and other soft tissue injuries. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost income. Total award $8,200 (pain and suffering $6,000).

12/89-1281 A 36-year-old male bus driver was assaulted and received a hyphema to his right eye and facial lacerations. His assailant was

charged and convicted under Section 267(1)(b) of the Criminal Code and placed on probation. There was a claim for lost wages. Total award $1,186 (pain and suffering $500).

12/89-1283 A 12-year-old, female student was sexually assaulted over a period of four years by her uncle and suffered mental and nervous shock. Her assailant was charged and convicted under Section 246.1 of the Criminal Code. Total award $10,000 (pain and suffering $10,000).

12/89-1284 A 38-year-old, unemployed married female, separated from her husband, was assaulted by her husband and suffered facial injuries, including damage to her dentures, and mental and nervous shock. Her assailant was charged and convicted under Section 266 of the Criminal Code. Total award $4,010 (pain and suffering $4,000).

12/89-1285 A 19-year-old, single female student was assaulted and suffered a fracture of her right hand. Her assailant was charged under Section 276(1)(b) of the Criminal Code but had not been brought to trial. However, the Board found the applicant to be a victim under Section 276(1)(b) of the Criminal Code. Total award $2,500 (pain and suffering $2,500).

12/89-1286 A 36-year-old, married male bouncer was assaulted by an unruly patron of a lounge and received a laceration to the back of his neck from a broken glass. His assailant was charged under Section 267(1)(b) of the Criminal Code but had not come to trial. The Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There is a claim for lost wages. Total award $508 (pain and suffering $400).

1/90-1287 A 46-year-old, married male advertising salesperson was assaulted and received a laceration to his right temple and a fracture of his right fibula requiring surgery. His assailant was charged under Section 267(1)(b) of the Criminal Code but had not been brought to trial. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There is a claim for lost wages. The Board reduced the award by 25 per cent due to the contributory actions of the victim. Total award $2,318.81 (pain and suffering $1,875).

1/90-1288 & 1/90-1292 A 27-year-old female was assaulted on two occasions by her common-law partner and suffered generalized bruising and abrasions and severe mental trauma. Her assailant was charged

and convicted under Section 348(1)(b) of the Criminal Code. Total award $4,200 (pain and suffering $4,000).

1/90-1289 A 19-year-old male student was assaulted and suffered an undisplaced fracture of the nasal bones and other facial soft tissue injuries. His assailant was charged and convicted under Section 245.1(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,000 (pain and suffering $930).

1/90-1290 A six-year-old male student, son of the subject of Files 1/90-1288 and 1/90-1292, was present at the time of the assaults and suffered mental and nervous shock. Total award $1,000 (pain and suffering $1,000).

1/90-1293 A five-year-old female child was the victim of sexual touching by a 15-year-old cousin and suffered mental and nervous shock. Her assailant was charged and convicted under Section 152 of the Criminal Code. Total award $2,000 (pain and suffering $2,000).

1/90-1294 A 19-year-old, single female store clerk was sexually assaulted and suffered severe mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code and sentenced to a total term of 25 years imprisonment for this and other charges. There was a claim for lost wages. Total award $12,275 (pain and suffering $12,000).

1/90-1295 A 22-year-old, single female restaurant clerk was assaulted and suffered stab wounds to the lower abdomen and the left ear. Her assailant was charged and convicted under Section 239 of the Criminal Code and sentenced to 4.5 years imprisonment. Total award $3,610 (pain and suffering $3,500).

1/90-1296 A 10-year-old male student (brother of 1/90-1293) was also the victim of sexual touching by the same relative and suffered mental and nervous shock. Total award $3,200 (pain and suffering $3,200).

1/90-1298 A 17-year-old male student was assaulted and suffered damage to four teeth. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to probation. Total award $1,915 (pain and suffering $1,500).

1/90-1299 A 24-year-old student and part-time bartender was assaulted and received soft tissue injuries to his face and blurred vision.

His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and fined $750. There was a claim for lost wages. Total award $495 (pain and suffering $300).

1/90-1300 A 37-year-old, married male storesman was assaulted and suffered a fracture of the nose. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to imprisonment. Total award $12,100 (pain and suffering $2,000).

1/90-1301 A 35-year-old, married female was assaulted by a friend and suffered a hyphema of the left eye with severe subconjunctival hemorrhage. Her assailant was charged and convicted under Section 266(b) of the Criminal Code and fined $100 plus probation. The Board reduced the award by 50 per cent due to the contributory actions of the victim. Total award $1,443 (pain and suffering $1,000).

1/90-1302 A 27-year-old, single male automobile repairperson was assaulted and received a stab wound to the torso. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to a term of imprisonment. There was a claim for lost wages. Total award $4,810 (pain and suffering $3,500).

1/90-1305 A 25-year-old, single male service station attendant was assaulted and received soft tissue injuries to his face and ear. The assailant was charge and convicted under Section 266 of the Criminal Code. Total award $438 (pain and suffering $300).

1/90-1306 A 49-year-old, married male businessperson was assaulted and suffered lacerations to his left upper eyelid and a depression of the left nasal bone with deviation. His assailant was charged and convicted under Section 266(b) of the Criminal Code and fined $150. There was a claim for lost wages. Total award $3,611 (pain and suffering $2,400).

2/90-1311 A 36-year-old, single male clerk was assaulted and received soft tissue facial lacerations requiring plastic surgery. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,177 (pain and suffering $500).

2/90-1312 A 31-year-old, single male sailor was assaulted and received facial injuries including damage to his eye with double vision. His assailants were never identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. The

Board reduced the award by one-third due to the contributory actions of the victim. Total award $500 (pain and suffering $500).

2/90-1313 A 13-year-old female was sexually assaulted by an acquaintance and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 (1)(a) of the Criminal Code. Total award $2,675 (pain and suffering $2,400).

2/90-1315 An 18-year-old, single male restaurant employee was assaulted and received soft tissue injuries to the head and a broken lower tooth. Two assailants were charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim of lost wages. Total award $955 (pain and suffering $500).

2/90-1316 A 42-year-old, divorced male factory worker was assaulted and suffered lacerations and contusions to the face with broken dentures. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and fined $50. There was a claim for lost wages. Total award $805 (pain and suffering $300).

2/90-1320 A 17-year-old, single male student was present at the time of crimes described in File 2/89-1031 and suffered mental and nervous shock. Total award $4,500 (pain and suffering $4,500).

2/90-132 A 35-year-old, married female clerk was sexually assaulted and suffered mental and nervous shock. Her assailant was charged and convicted under Section 273(2) of the Criminal Code. There was a claim for lost wages. Total award $12,860 (pain and suffering $10,000).

2/90-1322 A 16-year-old, single female student was sexually assaulted and suffered lacerations and contusions and mental and nervous shock. Her assailant was charged and convicted under Section 272 of the Criminal Code. There was a claim for lost wages. Total award $5,260 (pain and suffering $5,000).

2/90-1323 A 44-year-old, divorced female taxi driver was assaulted and received facial lacerations including a fractured jaw requiring surgery. One of her assailants was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $6,395 (pain and suffering $3,000).

2/90-1325 A 25-year-old, unemployed single male was assaulted and received a two-inch laceration to his head and damaged teeth. Two

assailants were charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,308.54 (pain and suffering $500).

2/90-1326 A 20-year-old, single female student was sexually assaulted and suffered mental and nervous shock. Her assailant was not identified but the Board found her to be a victim under Section 271 of the Criminal Code. There was a claim for lost wages. Total award $5,830 (pain and suffering $5,000).

2/90-1332 A 20-year-old, unemployed single male was assaulted and received soft tissue injuries to his face and left forearm, and a fracture of the right fibula. His assailant was not charged, but the Board found the applicant to be a victim under Section 266 of the Criminal Code. Total award $540 (pain and suffering $500).

2/90-1333 A 23-year-old, unemployed single male was assaulted and suffered a fracture of the left mandibular angle and right mandibular body requiring corrective surgery. His assailant was charged and convicted under Section 267(2)(b) of the Criminal Code and sentenced to 30 days intermittent imprisonment. Total award $2,135 (pain and suffering $2,000).

2/90-1336 A 28-year-old, single male carpenter was assaulted and suffered a fractured nasal bone, lacerations to his face, and a fractured tooth. His assailant was charged but absconded before trial. The Board found the applicant to be a victim under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $2,164 (pain and suffering $1,200).

3/90-1337 A 61-year-old, married male rigger was assaulted and suffered a complete rotator cuff tear requiring corrective surgery. His assailants were not identified but the Board found the applicant to be a victim under Section 267(1)(b) of the Criminal Code. Total award $6,500 (pain and suffering $6,000).

3/90-1338 A 40-year-old, married female homemaker was assaulted by her husband and suffered soft tissue facial injuries and damage to her teeth. Her assailant was charged and convicted under Section 266 of the Criminal Code and placed on probation. Total award $3,270 (pain and suffering $1,500).

3/90-1339 A 25-year-old, married male diver was assaulted and suffered a fractured wrist and soft tissue facial injuries. His assailants were not identified but the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $3,695 (pain and suffering $500).

3/90-1341 A 23-year-old, single male security officer was assaulted and suffered an undisplaced fracture of the nasal bone, soft tissue facial injury, and a sprained wrist. His assailants were charged and convicted under Section 267 (1)(b) of the Criminal Code. There was a claim for lost wages. Total award $530 (pain and suffering $250).

3/90-1346 A 14-year-old female student was sexually assaulted by her uncle over a period of eight months and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code and sentenced to three months imprisonment. Total award $3,500 (pain and suffering $3,500).

3/90-1347 A 12-year-old female student (sister of 3/90-1346) was also sexually assaulted by the same assailant and suffered mental and nervous shock. Total award $5,465 (pain and suffering $5,000).

3/90-1348 A 29-year-old, married female homemaker suffered mental and nervous shock as the result of the sexual assault of her daughter, and the Board found her to be a victim of crime under Section 271 of the Criminal Code. There was a claim for lost wages. Total award $1,750 (pain and suffering $1,600).

3/90-1349 A nine-year-old female student was sexually assaulted by her 15-year-old uncle who was subsequently charged and convicted under Section 271 of the Criminal Code. Total award $4,350 (pain and suffering $4,000).

3/90-1350 A 22-year-old, single male student was assaulted and received a nasal fracture and other soft tissue facial injuries requiring corrective surgery. His assailant was charged under Section 267(1)(b) of the Criminal Code and subsequently convicted of the crime in his own country. Total award $1,720 (pain and suffering $1,500).

3/90-1351 A 20-year-old, single male student was assaulted by a fellow student and suffered a large laceration of the right forehead. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $1,135 (pain and suffering $1,000).

3/90-1353 A 24-year-old, married female homemaker suffered mental and nervous shock as the result of the sexual assault of her daughter. The Board found her to be a victim of Crime under Section 271 of the Criminal Code. Total award $1,600 (pain and suffering $1,000).

3/90-1354 A six-year-old female student was sexually assaulted by her uncle and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code. Total award $2,000 (pain and suffering $2,000).

3/90-1358 A 28-year-old, single male civil servant was assaulted and suffered a laceration to his face, leaving a slight residual scar. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $475 (pain and suffering $400).

3/90-1359 An 18-year-old, single female restaurant worker was assaulted and suffered soft tissue injuries to her face and bruising of ribs. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to probation. There was a claim for lost wages. Total award $525 (pain and suffering $500).

3/90-1360 A 22-year-old, single male student was assaulted and suffered moderate soft tissue facial injuries, particularly around the eyes and nose, and mental trauma. Two of his assailants were charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $680 (pain and suffering $450).

3/90-1361 A 29-year-old, divorced male printer was assaulted and suffered a fractured nose with deviation of the septum. His assailant was charged under Section 267(1)(b) of the Criminal Code but acquitted on contradictory evidence. Nevertheless, the Board found him to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $990 (pain and suffering $750).

4/90-1363 A 34-year-old, single male salesperson was assaulted and suffered soft tissue injuries to his face. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to probation. There was a claim for lost wages. Total award $665 (pain and suffering $500).

4/90-1364 A 19-year-old, single male student and part time stock clerk was assaulted and suffered a fractured nasal bone and other soft tissue facial injuries. His assailants were never identified. Nevertheless, the

Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. The Board reduced the award by 10 per cent due to the contributory actions of the victim. Total award $1,879.20 (pain and suffering $1,800).

4/90-1365 An 18-year-old, single female student was assaulted and suffered a fractured nose requiring surgery. Her assailants were never identified. However, the Board found her to be a victim of crime under Section 271 of the Criminal Code. There was a claim for lost wages. Total award $2,890 (pain and suffering $2,400).

4/90-1367 A 35-year-old, married male welder was assaulted and suffered a 2.5 inch vertical laceration to the left forehead with blurred vision and insomnia. His assailant was never identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $2,011 (pain and suffering $1,000).

4/90-1371 A 27-year-old, single male motel manager was assaulted and suffered a slightly depressed fracture of the anterior aspect to the nasal spine requiring surgery. His assailant was not identified. However, the Board found the applicant to be a victim under Section 268 of the Criminal Code. Total award $1,244.61 (pain and suffering $1,200).

4/90-1374 A 14-year-old, male student was assaulted and suffered multiple fractures of the nose and upper jaw requiring corrective surgery. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $3,725 (pain and suffering $3,000).

4/90-1376 A 19-year-old, single female homemaker was sexually assaulted by her stepfather over a period of 10 years and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code and sentenced to 18 months imprisonment. Total award $5,500 (pain and suffering $5,500).

4/90-1378 A 24-year-old, single male salesperson was assaulted and suffered multiple fractures of the jaw requiring corrective surgery. There was also damage to his teeth. His assailants were never identified but the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $7,779 (pain and suffering $3,500).

4/90-1379 A 22-year-old, single male student was sexually assaulted over time and suffered mental and nervous shock. His assailant was charged and convicted under Section 157 of the Criminal Code and sentenced to imprisonment. Total award $5,950 (pain and suffering $5,000).

4/90-1380 A 30-year-old, single male fisherman was assaulted and suffered facial cuts and bruises requiring stitching. He also suffered the loss of his dentures and loosening of lower teeth. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,640 (pain and suffering $640).

4/90-1381 A 33-year-old, married male dairy salesperson was assaulted and suffered multiple facial fractures requiring corrective surgery. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and placed on probation. There was a claim for lost wages. Total award $2,865 (pain and suffering $1,800).

4/90-1382 An 18-year-old, single male student was assaulted by a fellow student and received knife wounds to his left hand. His assailant was charged under Section 267(1)(b) of the Criminal Code. The Board reduced the award by 50 per cent due to the contributory actions of the victim. Total award $1,295 (pain and suffering $1,250).

5/90-1384 A 42-year-old, married male truck driver was assaulted and received soft tissue injury to the left side of his head and bruises and abrasions to his left shoulder. His assailant was not identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $700 (pain and suffering $400).

5/90-1385 A 23-year-old, single male landscaper was assaulted and received soft tissue facial lacerations and sore ribs. His assailant was never identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. Total award $610 (pain and suffering $400).

5/90-1386 A 24-year-old, single male fisherman was assaulted and suffered stab wounds to the abdomen. His assailant was charged and convicted under Section 268 of the Criminal Code. There was a claim for lost wages. The Board reduced the award by 25 per cent due to the

contributory actions of the victim. Total award $4,661.25 (pain and suffering $3,000).

5/90-1391 A 41-year-old, unemployed single female was assaulted by a companion and suffered a fracture of the left zygoma which did not require corrective surgery. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $2,550 (pain and suffering $2,000).

5/90-1393 A 35-year-old, divorced female homemaker suffered mental and nervous shock due to the sexual assault of her daughter by her husband. Total award $1,600 (pain and suffering $1,600).

5/90-1394 A 16-year-old, single female student was sexually assaulted by her father over a period of time and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271.1(a) of the Criminal Code and sentenced to 18 months imprisonment. Total award $4,000 (pain and suffering $4,000).

5/90-1397 A 24-year-old, single male was assaulted by an opposing player while engaged in playing basketball and suffered a traumatic injury to the left eye requiring laser treatment. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,040 (pain and suffering $800).

5/90-1402 A 37-year-old, unemployed married male was assaulted and suffered a fracture of the frontal sinuses. His assailant was charged and convicted under Section 266(a) of the Criminal Code. Total award $790.62 (pain and suffering $700).

5/90-1403 A 30-year-old, married female homemaker, wife of 5/90-1402, was also assaulted by the same assailant and suffered a soft tissue injury to her nose. Total award $300 (pain and suffering $300).

5/90-1405 A 25-year-old, single male waiter was assaulted and suffered a laceration to the left chest extending into the left pleural lung cavity requiring corrective surgery. His assailant was charged and convicted under Section 268 of the Criminal Code but absconded before trial. There was a claim for lost wages. Total award $9,000 (pain and suffering $3,200).

6/90-1411 A 19-year-old, unemployed single female was assaulted by her boyfriend and received a laceration to her right eyebrow and other

soft tissue facial injury. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to three months imprisonment. Total award $345 (pain and suffering $300).

6/90-1412 A 33-year-old, married male warehouse worker was assaulted and suffered a fractured left mandible and damage to his teeth. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $3,895 (pain and suffering $2,250).

6/90-1413 A 26-year-old, single male carpenter was assaulted and suffered a non-displaced hairline fracture of the left maxillary antrum and other soft tissue facial injury. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,435 (pain and suffering $960).

6/90-1414 A 57-year-old, single male fisherman's helper was assaulted and lost three front teeth and suffered mental and nervous shock. His assailant was charged and convicted under Section 266 of the Criminal Code. There was a claim for lost wages. Total award $1,519 (pain and suffering $500).

6/90-1415 A 53-year-old, married male labourer was assaulted and suffered a stab wound causing a 20 per cent to 30 per cent pneumothorax on the left side. His assailant was charged and convicted under Section 268(2) of the Criminal Code and sentenced to two years imprisonment. There was a claim for lost wages. Total award $1,700 (pain and suffering $800).

6/90-1418 A 43-year-old, unemployed divorced female was assaulted and received multiple soft tissue injuries to her body and a laceration to a finger. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $2,050 (pain and suffering $2,000).

6/90-1421 An 18-year-old, single male student was assaulted and suffered a fractured mandible which required corrective surgery. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $3,156 (pain and suffering $2,200).

6/90-1422 A six-year-old female student was sexually assaulted by her father and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code but

acquitted due to lack of evidence. Nevertheless, the Board found the applicant to be a victim of that crime. Total award $6,000 (pain and suffering $6,000).

6/90-1423 A 57-year-old, married homemaker, grandmother and guardian of subject of 6/90-1422, incurred certain expenses and suffered mental and nervous shock due to the sexual assault of her granddaughter. Total award $6,300 (pain and suffering $6,000).

6/90-1425 A 65-year-old, retired single male was assaulted and suffered multiple fractures of the mandible and other soft tissue facial injuries. His assailants were never identified. However, the Board found him to be a victim under Section 267(1)(b) of the Criminal Code. Total award $2,475 (pain and suffering $2,400).

6/90-1426 A 21-year-old, single male student was assaulted and suffered a fractured zygoma. His assailants were never identified. However, the Board found the applicant to be a victim of crime under Section 267 of the Criminal Code. There was a claim for lost wages. Total award $2,150 (pain and suffering $2,000).

6/90-1429 A 22-year-old, single male taxi driver was assaulted and suffered three broken teeth. His assailants were never identified. However, the Board found him to be a victim of crime under Section 267(1) of the Criminal Code. There was a claim for lost wages. Total award $4,363 (pain and suffering $1,500).

6/90-1431 A six-year-old, single female student was sexually assaulted by her grandfather and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271(1)(a) of the Criminal Code. Total award $6,100 (pain and suffering $6,000).

7/90-1432 A 27-year-old, unemployed single female was assaulted and suffered facial lacerations and abrasions. Her assailants were charged under Section 267(1)(b) of the Criminal Code, one being acquitted due to lack of evidence and the other having absconded. However, the Board found the applicant to be a victim of that crime. Total award $1,595 (pain and suffering $1,500).

7/90-1433 A 24-year-old, single male auto mechanic was assaulted and suffered facial lacerations when hit by a beer bottle. His assailant was charged under Section 267(1)(b) of the Criminal Code but absconded before trial. Nevertheless, the Board found the applicant to be

a victim of that crime. There was a claim for lost wages. Total award $650 (pain and suffering $480).

7/90-1441 A 37-year-old, single male member of the Canadian Armed Forces was assaulted and suffered a fractured nose and soft tissue facial injury. His assailants were never identified. However, the Board found him to be a victim of crime under Section 267(1)(b) of the Criminal Code. Total award $815 (pain and suffering $750).

7/90-1444 A 10-year-old, female student was assaulted by another student and suffered sore muscles and upper back bones. Due to his tender age, her assailant was not charged. However, the Board found the applicant to be a victim of crime under Section 266 of the Criminal Code. Total award $1,325 (pain and suffering $1,000).

7/90-1451 A 32-year-old, married male musician and labourer was assaulted and suffered a fractured jaw and other soft tissue facial injuries. His assailants were never identified. However, the Board found him to be a victim under Section 267(1)(b) of the Criminal Code. Total award $2,400 (pain and suffering $2,000).

7/90-1452 A 10-year-old female student was sexually assaulted and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code and sentenced to imprisonment. Total award $2,550 (pain and suffering $2,400).

7/90-1456 A 52-year-old, married male bartender was assaulted and suffered a mildly depressed commuted fracture of the nasal bone and an undisplaced fracture of three ribs. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to three years imprisonment. There was a claim for lost wages. Total award $9,210 (pain and suffering $4,000).

7/90-1457 A 28-year-old, married female was assaulted by her former husband and suffered severe head injuries which were life threatening. Her assailant was charged and convicted under Section 239 of the Criminal Code and sentenced to five years imprisonment. Total award $15,750 (pain and suffering $15,000).

7/90-1459 A 27-year-old, unemployed single female was assaulted and suffered soft tissue injury to her head. Her assailant was charged and convicted under Section 266(b) of the Criminal Code. Total award $465 (pain and suffering $400).

8/90-1465 A 15-year-old, single female student was sexually assaulted by her uncle over time and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271 of the Criminal Code. Total award $3,000 (pain and suffering $3,000).

8/90-1465 A 17-year-old female student (sister of 8/90-1465) was also sexually assaulted by the same relative and suffered mental and nervous shock. Total award $3,000 (pain and suffering $3,000).

8/90-1469 A 21-year-old, single male library clerk was assaulted and suffered a bilateral fracture of the mandible and other soft tissue facial bruising which required surgical intervention. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to probation. There was a claim for lost wages. Total award $2,682 (pain and suffering $2,000).

8/90-1470 A 12-year-old female student was assaulted by an older female and suffered bruises and abrasions to her spine and stomach and mental trauma. Her assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and sentenced to probation. Total award $1,590 (pain and suffering $1,500).

8/90-1471 A 14-year-old male student was assaulted and suffered facial lacerations and the loss of a tooth. His assailant was never identified. However, the Board found the applicant to be a victim of crime under Section 267 of the Criminal Code. Total award $2,100 (pain and suffering $750).

8/90-1472 An eight-year-old male student was assaulted by being struck with a pellet fired from a pellet gun and suffered soft tissue injury to his left leg requiring sutures. His assailant was charged and convicted under Section 266 of the Criminal Code. Total award $625 (pain and suffering $500).

8/90-1477 A 29-year-old, single male glass installer was assaulted and suffered a fractured nose requiring surgical correction. His assailants were never identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b) of the Criminal Code. There was a claim for lost wages. Total award $1,860 (pain and suffering $1,500).

9/90-1487 A 27-year-old, single male millright was assaulted and suffered an undisplaced fracture of the nasal bones. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code.

There was a claim for lost wages. Total award $1,285 (pain and suffering $800).

9/90-1489 A 30-year-old, single male delivery person was assaulted and suffered multiple soft tissue injuries to his face and head. Two of three assailants were charged and convicted under Section 266(b) of the Criminal Code. Total award $388 (pain and suffering $388).

9/90-1491 An eight-year-old female student was sexually assaulted over time by her grandfather and suffered mental and nervous shock. Her assailant was charged under Section 271 of the Criminal Code but acquitted at trial. Nevertheless, the Board found the applicant to be a victim of such a crime. Total award $3,000 (pain and suffering $3,000).

9/90-1495 A 17-year-old, single male fisherman was assaulted and suffered multiple facial lacerations with a residual scar. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code and placed on probation. There was a claim for lost wages. Total award $4,925.15 (pain and suffering $1,000).

10/90-1497 A 17-year-old, single female student was sexually assaulted over a period of eight years by her stepfather and suffered mental and nervous shock. Her assailant was charged and convicted under Section 271(1)(a) of the Criminal Code. Total award $8,000 (pain and suffering $8,000).

10/90-1498 A 19-year-old, unemployed single female was assaulted by her boyfriend and suffered a displaced fracture of the nose requiring surgical intervention. Her assailant was charged and convicted under Section 267(2)(b) of the Criminal Code. Total award $1,200 (pain and suffering $1,200).

11/90-1540 A 16-year-old, single male student was struck with a baseball bat and suffered multiple soft tissue injuries to his face with residual scarring. His assailant was charged and convicted under Section 267(1)(b) of the Criminal Code. Total award $800 (pain and suffering $800).

1/91-1583 A 21-year-old, single male student was assaulted and suffered a fractured nose and other soft tissue facial injuries requiring surgical intervention. His assailant was never identified. However, the Board found the applicant to be a victim of crime under Section 267(1)(b)

of the Criminal Code. Total award $1,994.06 (pain and suffering $1,076.90).

1/91-1605 A 22-year-old, single male lounge bouncer was assaulted by being punched in the face, resulting in his glasses being broken and his shirt torn. His assailant was charged and convicted under Section 266(b) of the Criminal Code. Total award $250.

SUMMARY OF DISMISSED APPLICATIONS

3/88-837 A 38-year-old male coal miner was assaulted and received stab wounds. The victim failed to cooperate with the police and his assailant was not successfully prosecuted. The Board invoked Section 26 of the Act and determined that the victim was not entitled to any compensation.

2/89-1028 A 28-year-old, divorced male labourer was shot with a shotgun and received serious injuries to his abdomen. His assailant was acquitted on a charge of aggravated assault on the grounds of self-defence. The Board invoked the provisions of Section 26 of the Compensation for Victims of Crime Act and denied any award due to the contributory actions of the victim.

11/89-1259 A three-year-old female child was alleged to have been injured as a result of crime involving her mother, subject of File 11/89-1242. The Board found that there was insufficient evidence to show that the child had been injured and no award was granted.

1/90-1297 A 61-year-old, unemployed single male was alleged to have been assaulted and suffered an injury to his arm. The assailant was charged under Section 266(b) of the Criminal Code but acquitted, the judge finding there was a consensual fight. The Board found that there was insufficient evidence of the commission of a crime and dismissed the application.

2/90-1314 A 25-year-old, married male deputy sheriff was injured in the performance of his duties and received certain benefits from the Workers' Compensation Board. By a previous judicial decision, the applicant was not eligible for compensation under the Compensation for Victims of Crime Act and no award was made.

2/90-1329 A 59-year-old, unemployed married male, separated from his spouse, claimed to have suffered soft tissue injury to his groin as a

result of an assault. The Board determined that there was insufficient evidence to show that the injury resulted from the commission of a crime. Therefore, no award was made.

2/90-1330 A 32-year-old, unemployed divorced female was sexually assaulted and claimed to have suffered mental and nervous shock. Her assailant was never charged but the Board found that she was the victim of a crime under Section 271(1) of the Criminal Code. However, the Board was unable to determine on the evidence before it that she had been injured as required by Statute and hence no award was made.

2/90-1334 A 25-year-old, unemployed single female was assaulted and suffered a stab wound. Her assailant was never identified. The applicant failed to appear before the Board and no award was made.

3/90-1343 A 50-year-old, divorced male road worker was allegedly assaulted and suffered soft tissue injury to his face and a right shoulder sprain. Both the assailant and the applicant were charged with assault, found guilty, and given discharges. The Board found the victim to be 50 per cent responsible because of his own contributory actions, thus reducing the award to less than the minimum. Therefore, no award was made.

9/89-1170 A 37-year-old, unemployed male labourer was assaulted and suffered the loss of an eye. As 23 months had elapsed from the time of the assault, the Board ruled that the application had not been made in time and that other events may have contributed to his injury and declined to make any award.

9/89-1177 A 46-year-old male municipal police officer suffered severe neck and head injuries while attempting to arrest an offender of the law. However, as he had already received Workers' Compensation benefits, he was precluded from supplementary compensation under the Act.

9/89-1206 A 49-year-old, married male municipal police officer was assaulted while effecting an arrest of an offender and suffered severe muscle strain of the left quadriceps. His assailant was charged and convicted under Section 270(1)(a) of the Criminal Code and fined $560. The Board determined that whereas the applicant had received compensation from the Workers' Compensation Board, he was not entitled to further compensation under the Act.

10/89-1231 A 26-year-old, single male dishwasher was assaulted and received soft tissue and ligament injury to his left arm and right hand. His assailant was acquitted of a charge under Section 266 of the Criminal Code. The Board found that there was insufficient evidence to indicate that the applicant had been a victim of crime and no award was given.

10/89-1232 A 45-year-old male taxi driver claimed to have been assaulted and received certain injury. After hearing evidence from the applicant and the investigating police, the Board found there was insufficient evidence to show the commission of a crime and thus dismissed the application.

11/89-1242 A 24-year-old, married female was assaulted and claimed to have received injuries to her head. Her assailant was charged and convicted under Section 266(b) of the Criminal Code. The Board found there was insufficient evidence of injury to warrant the making of an award to exceed the minimum of $250 and, therefore, no award was made.

11/89-1245 A 39-year-old, married male municipal fire fighter was injured in the performance of his duties and suffered damage to his right knee. In dismissing the application, the Board found that the applicant was acting in his lawful capacity as a fire fighter and was not the victim of the crime of arson as claimed and, therefore, no award was made.

3/90-1355 A 50-year-old female homemaker, grandmother of applicant in File 2/90-1313, claimed mental and nervous shock as a result of the sexual assault of her granddaughter. The Board found insufficient evidence to support the claim that she had been injured and hence no award was made.

3/90-1356 A 29-year-old, married female homemaker, mother of applicant in File 2/90-1313, claimed to have suffered mental and nervous shock as a result of the sexual assault of her daughter. However, the Board was unable to determine that she had been injured as a result of that crime and, therefore, no award was made.

4/90-1368 A 41-year-old, single male woodsman claimed to have been assaulted, but did not cooperate with the police in their investigation. He suffered a compound fracture of the left tibia and fibula, various lacerations and bruises, and a fractured thumb. The Board declined to make an order for payment invoking Section 26(3) of the Act.

4/90-1372 An application for compensation for injuries due to an assault was not filed within the one–year limitation period as required by Statute. As two and one half years had expired since the date of the offence, and as the applicant had been represented by counsel, the Board did not grant an extension of time for filing.

4/90-1373 An application for compensation for injuries due to an assault was not filed within the one–year limitation period as required by Statute. As two and one half years had expired since the date of the offence, and as the applicant had been represented by counsel, the Board did not grant an extension of time for filing.

7/90-1442 A 23-year-old, single male member of the Canadian Armed Forces claimed to have been assaulted, suffering multiple facial lacerations and bruises. The Board was not satisfied that the applicant was a victim of crime and, therefore, no award was granted.

7/90-1450 The husband of 6/90-1423 claimed to have suffered mental and nervous shock due to the sexual assault of his granddaughter. However, due to a pre-existing medical condition, the Board found there was insufficient evidence to substantiate the claim and no award was given.

7/90-1446 A 13-year-old, single male student (brother of 7/90-1444) was assaulted by the father of the assailant to his sister and claimed certain injury. His assailant was charged and convicted under Section 266(b) of the Criminal Code and placed on probation. The Board found there was insufficient evidence to show that the applicant had been injured and no award was granted.